

CHARGE: 402(a)(2)(B)—when shipped, the article contained a pesticide chemical, toxaphene, which was unsafe within the meaning of 408(a) since the quantity of such pesticide chemical on the article was not within the limits of the tolerance prescribed by regulations.

DISPOSITION: 11-5-63. Default—destruction.

29264. Fresh carrots. (F.D.C. No. 49259. S. No. 5-724 X.)

QUANTITY: 500 bags, each containing 48 1-lb. bags, at Baltimore, Md.

SHIPPED: 8-23-63, from Hereford, Tex., by Salt River Valley Produce of Texas, Inc.

LABEL IN PART: (Bag) "Silent Sam Carrots * * * Grown and Shipped By Salt River Valley Produce of Texas, Inc. * * * Net Wt. 1 Pound."

LIBELED: 9-6-63, Dist. Md.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, endrin, which was unsafe under 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on carrots had been prescribed by regulations.

DISPOSITION: 10-9-63. Default—destruction.

29265. Fresh carrots. (F.D.C. No. 49395. S. No. 39-008 X.)

QUANTITY: 643 shipping bags, each containing 48 1-lb. bags, at Brooklyn, N.Y.

SHIPPED: 9-11-63, from Hereford, Tex., by F. H. Vahlsing, Inc.

LABEL IN PART: (1-lb. bag) "Garden Gold Fresh Carrots * * * Horlings-Lea Incorporated, Zellwood, Florida Packers and Shippers Florida, Texas, & California Carrots."

LIBELED: 9-23-63, E. Dist. N.Y.

CHARGE: 402(a)(2)(B)—when shipped, the article contained the pesticide chemical, endrin, for which no tolerance on carrots or exemption therefrom has been prescribed.

DISPOSITION: 10-10-63. Default—destruction.

29266. Crushed peppers and cinnamon sticks. (F.D.C. No. 48858. S. Nos. 31-588/9 V.)

QUANTITY: 61 cases, each containing 30 pkgs. of crushed peppers, and 26 cases, each containing 36 pkgs. of cinnamon sticks, at Los Angeles, Calif., in possession of Service Foods, Inc.

SHIPPED: Prior to 3-20-63, from outside the United States.

LABEL IN PART: (Pkg.) "Crushed Peppers Minimum Net Wt. 3½ Oz. Service Foods Los Angeles 18, Calif.," and "Cinnamon Minimum Net 1¼ Oz. Service Foods Los Angeles 18, Calif."

RESULTS OF INVESTIGATION: The articles had been repacked by the dealer after having been imported into the United States. The peppers were approximately 3 percent short weight and the cinnamon approximately 2 percent. The articles were contained in clear cellophane bags on which the firm's name and address were printed vertically on the back of the package in red ink in small type which was inconspicuous on the package of crushed peppers in that it was blurred and did not contrast with the article within the package. The quantity of contents statement on the front of the package was also in red ink

which did not contrast well with the red peppers in the background, and was confused by a lace-like white design in the background.

LIBELED: 4-22-63, S. Dist. Calif.

CHARGE: 403(e)(2)—while held for sale, both articles failed to bear a label containing an accurate statement of the quantity of the contents, since the label statements (crushed peppers) "3½ Oz." and (cinnamon) "1¼ Oz." were inaccurate; and 403(f)—while held for sale, the information required to appear on label of the red peppers under 403(e)(1) and (2), namely, the name and address of the packer, and the quantity of contents statement, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 6-7-63. Consent—claimed by Service Foods, Los Angeles, Calif., and released under bond for relabeling.

29267. Canned corn. (F.D.C. No. 49226. S. No. 4-100 X.)

QUANTITY: 174 cases, 24 cans each, at Raleigh, N.C.

SHIPPED: 7-17-63, from Leslie, Md., by Consolidated Cannery Corp.

LABEL IN PART: (Can) "Red Cross Brand Whole Kernel Golden Sweet Corn Net Contents 1 Lb. Distributed by Consolidated Cannery Corp. Baltimore, Maryland."

LIBELED: 8-30-63, E. Dist. N.C.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned whole kernel sweet corn since it contained more than one brown or black discolored kernel or piece of kernel for each 2 ounces of drained weight, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 10-16-63. Default—destruction.

29268. Canned peas. (F.D.C. No. 49034. S. No. 36-853 X.)

QUANTITY: 300 cases, each containing 24 15-oz. cans, at Lafayette, La.

SHIPPED: 4-9-63, from Haskell, Okla., by Haskell Foods, Inc.

LABEL IN PART: (Can) "Lahoma Dried Early June Peas Packed from Dry Stock * * * Haskell Foods Inc. Packers & Distributors Haskell, Oklahoma."

LIBELED: 7-11-63, W. Dist. La.

CHARGE: 403(a)—when shipped, the label vignette depicting succulent green peas was false and misleading as applied to a product prepared from dried peas; and 403(h)(1)—the article fell below the standard of quality for canned peas since it contained more than 25 percent by count of peas ruptured to a width of more than 1/16 inch and the article was a smooth skin variety of peas; and the alcohol insoluble solids of peas in the container was more than 23.5 percent and the label failed to bear a statement that it fell below such standard.

DISPOSITION: 9-3-63. Default—delivered to a charitable institution for use therein.

29269. Canned peas. (F.D.C. No. 48434. S. No. 16-729 V.)

QUANTITY: 505 cases, each containing 24 15-oz. cans, at Nashville, Tenn.

SHIPPED: Between 6-20-62 and 10-12-62, from Cullman, Ala., by King Pharr Canning Operations, Inc.